

# Nemaha Valley Schools

UNIFIED SCHOOL DISTRICT NO. 442  
318 Main Street  
Seneca, KS 66538-1924

Ph: 785-336-6101  
Fax: 785-336-2268

BRIAN L. HARRIS, SUPERINTENDENT



## BOARD OF EDUCATION

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Carol Marrison

Robin D. Rancini

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Clerk

Stacie Korte,  
Treasurer

# Fax

CC Docket No. 02-6

To: FCC Appeals From: U.S.D. #442, Nemaha Valley Schools  
Fax: 1-973-599-6542 Pages: 5  
Phone: \_\_\_\_\_ Date: 12/20/06  
Re: \_\_\_\_\_ CC: \_\_\_\_\_

☐ Urgent

☒ For Review

☐ Please Comment

☒ Please Reply

☐ Please Recycle

*Brian Harris*

**PRIDE IN EDUCATIONAL EXCELLENCE**  
An Equal Employment / Educational Opportunity Agency

**NEMAHA VALLEY HIGH SCHOOL**  
Frank McKenna, Principal  
Ph: 785-336-6387 Fax: 785-336-6673  
214 North 11th, Seneca, KS 66538-1798

**MARSHALL-NEMAHA COUNTY  
SPECIAL EDUCATION CO-OP**  
Wanda Harman, Director  
Ph: 785-336-2181 Fax: 785-336-2183  
316 Main, Seneca, KS 66538-1924

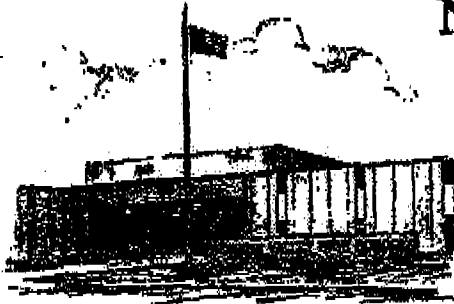
**SENECA GRADE AND N.V.A.H.S**  
Amy Davis, Principal  
Ph: 785-336-3178 Fax: 785-336-3174  
709 Wenden, Seneca, KS 66538-1736

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Treasurer

December 20, 2006

## FAX APPEAL OF USAC DECISION CC DOCKET NO. 02-6

Applicant Name:	Nemaha Valley Un Sch Dist 442
Billed Entity Number:	137673
Form 471 Application Number:	518598
Funding Request Number:	1426950

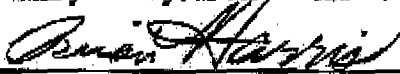
This is an appeal of a decision by the USAC to deny funding as outlined in the Administrator's Decision dated December 6, 2006. A copy of that decision is attached.

Our appeal is based upon the fact that SOCS is a web hosting service and is an eligible service. Content management and the creation of content are not done by SOCS. This is done by a high school web design class within our district and the teacher of the class. This class writes the articles, develops the graphics, takes the digital pictures, creates the links, and decides what content will be placed upon the web site. The class decides when content is to be eliminated and the total organization of the web site which is [www.usd442.org](http://www.usd442.org). No one from SOCS is involved in this process. Access to SOCS is done by internet.

It is our understanding that requests for web hosting services have been funded by the SLD.

Attached is a copy of the page from our contract that identifies this service as E-Rate eligible. It is my understanding that SOCS reviewed this program and eligibility with legal counsel.

We are requesting that our appeal be granted in the amount of \$1,276.80 per year. Thank you for your consideration.

  
Brian Harris, Superintendent of Schools  
[bharris@nvschools.org](mailto:bharris@nvschools.org)  
Other contact information above

**PRIDE IN EDUCATIONAL EXCELLENCE**  
An Equal Employment / Educational Opportunity Agency

NEMAHA VALLEY HIGH SCHOOL  
Nemaha, MO 64656, Principal  
Ph: 785-336-3357 - Fax: 785-336-0672  
214 North 17th, Seneca, KS 66538-1908

MARSHALL-NEMAHA COUNTY  
SPECIAL EDUCATION CO-OP  
Wanda Hixson, Director  
Ph: 785-336-4491 - Fax: 785-336-4492  
316 Main, Seneca, KS 66538-1924

SENECA GRADE AND N.V.J.H.S.  
Amy Eick, Principal  
Ph: 785-336-0773 - Fax: 785-336-2174  
709 Nemaha, Seneca, KS 66538-1758



**Universal Service Administrative Company**  
Schools & Libraries Division

**Administrator's Decision on Appeal – Funding Year 2006-2007**

December 06, 2006

Brian Harris  
Nemaha Valley Schools  
318 Main Street  
Seneca, KS 66538-1924

Re: Applicant Name: NEMAHA VALLEY UN SCH DIST 442  
Billed Entry Number: 137673  
Form 471 Application Number: 518598  
Funding Request Number(s): 1426950  
Your Correspondence Dated: October 26, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2006 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1426950  
Decision on Appeal: Denied  
Explanation:

- Upon thorough review of the appeal letter and the relevant documentation, USAC has reviewed and assessed your appeal. USAC determined that this funding request was properly evaluated. The FRN was denied because 30% or more of this FRN includes a request for Simplified Online Communications System (SOCS), which is an ineligible content management service based on program rules. The Item 21 Attachment identified SOCS, which is 100% of the total funding request. FCC rules require that if 30% or more of an applicant's funding request includes ineligible product(s)/service(s), the funding request must be denied. Consequently, the appeal is denied.
- Your Form 471 application included costs for the following ineligible products and/or services: Simplified Online Communications System (SOCS). FCC Rules

provide that funding may be approved only for eligible products and services, 47 C.F.R. secs. 54.502, 54.503. The USAC website contains a list of eligible products and services. See the website, [www.usac.org/sl](http://www.usac.org/sl), Eligible Services List. FCC Rules further require that if 30% or more of the applicant's funding request includes ineligible products and/or services, then the funding request must be denied, otherwise the funding request will be reduced accordingly. 47 C.F.R. sec. 54.504(d).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

## Schedule of Royalties/Fees

- SOCS Web Hosting Service ..... \$2,280 per year\*
- Additional URL/Domain Registrations ..... \$\_\_\_\_\_ per year\*  
(Number of domains \_\_\_\_\_ x \$20 per domain)
- E-Mail Accounts ..... \$\_\_\_\_\_ per year\*  
(Number of accounts \_\_\_\_\_ x \$10 per account)
- Additional listserves ..... \$\_\_\_\_\_ per year  
(Number of listserves \_\_\_\_\_ x \$100 per listserve)
- SOCS Shopping Cart ..... \$\_\_\_\_\_ per year

**Total Royalties/Fees** ..... **\$2,280 per year**

\* denotes eligibility for E-rate discounts.

## Agreement Payment Terms (Please complete one):

- \$2,280 annually for 3 years
- OR
- \$\_\_\_\_\_ monthly for \_\_\_\_\_ months

## Special Billing Instructions

## Invoices and Billing Statements will be sent to the following address:

Licensee: Nemaha Valley Schools USD 442  
o/c: Brian Harris  
Title: Superintendent  
Street: 318 Main  
City: Seneca State: KS Zip: 66538  
Phone Number: 785-336-6101  
Fax Number: 785-336-2268  
Email Address: bharris@nvschools.org

Agreement Term Dates: From July 1, 2006 through June 30, 2009

## CONFIDENTIAL INFORMATION

Intended exclusively for the internal and private use of the above named SCHOOL PARTNER and FES